

REMARKS/ARGUMENTS

This Amendment is in response to the Office Action mailed September 22, 2004. In the Office Action, the Examiner objected to the specification and rejected claims 37-76 under 35 U.S.C. § 102.

Reconsideration in light of the amendments and remarks made herein is respectfully requested.

Specification

The Examiner objects to the specification on page 1, and requests that the related application information must be updated to reflect the issuance of U.S. Patent No. 6,633,963 B1.

Applicant has amended the specification as requested by the Examiner and respectfully requests that the Examiner withdraw this objection.

Double Patenting

Claims 37-76 stand rejected under the judicially created doctrine of the obviousness-type double patenting as being unpatentable over claims 1-44 of U.S. Patent No. 6,633,963 B1.

Applicant has submitted a terminal disclaimer to obviate the obviousness-type double patenting rejection. Applicant respectfully requests that the Examiner withdraw this ground for rejection.

Rejection Under 35 U.S.C. § 102(e)

Claims 37-76 stand rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by U.S. Patent No. 6,272,533 issued to Browne, or in the alternative, over U.S. Patent No. 6,292,874 issued to Barnett.

Applicant has amended independent claims 37, 47, 57, and 67 as suggested by the Examiner such that these claims should now be in condition for allowance. Applicant has also canceled claims 42, 52, 62, and 72.

In view of these amendments, as suggested by the Examiner, Applicant respectfully submits that all of the claims are now in condition for allowance.

Conclusion

In view of the remarks made above, it is respectfully submitted that pending claims 37-41, 43-51, 53-61, 63-71, and 73-76 define the subject invention over the prior art of record. Thus, Applicant respectfully submits that all the pending claims are in condition for allowance, and such action is earnestly solicited at the earliest possible date. The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application. To the extent necessary, a petition for an extension of time under 37 C.F.R. is hereby made. Please charge any shortage in fees in connection with the filing of this paper, including extension of time fees, to Deposit Account 02-2666 and please credit any excess fees to such account.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN-LLP

Dated: 12/22/2004

By


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Attachments

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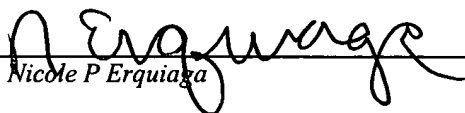
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Nicole P Erquiaga
12/22/2004
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